

# **Exhibit 1**

6-6-2006

L.G. Phillips LCD v. Tatung Co. of America et al Jong Hwan Kim  
Confidential-Attorneys Eyes Only

Page 1

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

LG.PHILIPS CO., LTD.,                    )  
Plaintiff,                                )  
vs.   )  
TATUNG COMPANY; TATUNG                ) No. CV-05-292 (JJF)  
COMPANY OF AMERICA, INC.;            )  
CHUNGHWA PICTURE TUBES,             )  
LTD.; and VIEWSONIC                    )  
CORPORATION,                            )  
Defendants.                                )

- - - - -  
CONFIDENTIAL - ATTORNEYS EYES ONLY

RULE 30(b)(6) DEPOSITION OF VIEWSONIC CORPORATION

VIDEOTAPED DEPOSITION OF JONG HWAN KIM

WASHINGTON, D.C.

JUNE 6, 2006

The videotaped deposition of JONG HWAN KIM was  
convened on Tuesday, June 6, 2006, commencing at  
9:13 a.m., at the offices of Howrey LLP, 1299  
Pennsylvania Avenue, N.W. Washington, D.C.,

6-6-2006 L.G. Phillips LCD v. Tatung Co. of America et al Jong Hwam Kim  
Confidential-Attorneys Eyes Only

Page 2

1 before Paula G. Satkin, Registered Professional  
2 Reporter and Notary Public.

3

4 - - - - -

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20 -----

21

22

DIGITAL EVIDENCE GROUP  
1111 16th Street, NW Suite 410  
Washington, DC 20036  
(202) 232-0646

6-6-2006

L.G. Phillips LCD v. Tatung Co. of America et al Jong Hwam Kim  
Confidential-Attorneys Eyes Only

Page 3

A P P E A R A N C E S

ON BEHALF OF THE PLAINTIFF LG.PHILIPS LCD CO.,  
LTD.:

GASPARE J. BONO, ATTORNEY AT LAW

SONG K. JONG, ATTORNEY AT LAW

McKENNA LONG & ALDRIDGE

1900 K Street, N.W.

Washington, D.C. 20006

(202) 496-7211

ON BEHALF OF THE DEFENDANT VIEWSONIC  
CORPORATION:

SUZANNE B. DRENNON, ATTORNEY AT LAW

HOWREY LLP

550 South Hope Street

Suite 1100

Los Angeles, CA 90071

(213) 892-1901

6-6-2006

L.G. Phillips LCD v. Tatung Co. of America et al Jong Hwam Kim  
Confidential-Attorneys Eyes Only

Page 4

1 ALSO PRESENT:

2 Joey Thrower, Videographer

3 Yongwoo Cho, LG.Philips

4 Nisha Mody, Howrey

5 Jin Hee Kim, Interpreter

6 Ann Park, Interpreter

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

6-6-2006 L.G. Phillips LCD v. Tatung Co. of America et al Jong Hwan Kim  
Confidential-Attorneys Eyes Only

Page 5

C O N T E N T S

JONG HWAN KIM

EXAMINATION

BY MS. DRENNON..... 9

BY MR. BONO.....192

6-6-2006

L.G. Phillips LCD v. Tatung Co. of America et al Jong Hwam Kim  
Confidential-Attorneys Eyes Only

Page 6

## E X H I B I T S

KIM EXHIBIT NO: PAGE NO:

1..... 72

2..... 88

3..... 91

4..... 95

5.....111

6.....120

7.....126

10 8.....131

11 9.....136

12 10.....138

13 11.....144

14 12.....149

15 13.....154

16 14.....160

17 15.....163

18 16.....166

19 17.....171

20 18.....175

21 19.....188

22 \*\* Exhibits retained by counsel.

6-6-2006

L.G. Phillips LCD v. Tatung Co. of America et al Jong Hwan Kim  
Confidential-Attorneys Eyes Only

Page 7

1 THE VIDEOGRAPHER: This is tape  
2 number one of the videotaped deposition of Jong  
3 Hwan Kim taken by defendants in the matter of  
4 LG.Philips LCD Company, Limited versus Tatung  
5 Company of America, et al. in the United States  
6 District Court for the District of Delaware,  
7 Case Number CV 05-292 JJF. This deposition is  
8 being held at the law offices of Howrey LLP,  
9 1299 Pennsylvania Avenue, Northwest, Washington,  
10 D.C. on June 6th, 2006. The time on the video  
11 screen is 9:13 a.m.

12 My name is Joey Thrower. I'm the  
13 legal videographer from Digital Evidence Group.

14 The court reporter is Paula Satkin  
15 in association with Digital Evidence Group.

16 Will counsel and others please  
17 introduce themselves for the record.

18 MS. DRENNON: Suzanne Drennon for  
19 Howrey LLP for defendants.

20 MS. MODY: Nisha Mody from Howrey.

21 MR. BONO: My name is Gaspare J.  
22 Bono with McKenna Long & Aldridge for the



6-6-2006

L.G. Phillips LCD v. Tatung Co. of America et al Jong Hwan Kim  
Confidential-Attorneys Eyes Only

Page 8

1 plaintiffs, LG.Philips LTD. With me is my  
2 partner, Song Jung, also of the McKenna law  
3 firm.

4 INTERPRETER KIM: I'm Jin Kim, I'm  
5 the main interpreter for this case.

6 INTERPRETER PARK: Ann Park, check  
7 interpreter.

8 THE VIDEOGRAPHER: Will the court  
9 reporter please swear in the interpreters and  
10 the witness.

11 Whereupon --

12 JIN HEE KIM and ANN PARK  
13 were sworn to interpret English into Korean and  
14 Korean into English.

15  
16 Whereupon--

17  
18 JONG HWAN KIM  
19 a witness, called for examination, having been  
20 first duly sworn, was examined and testified as  
21 follows:  
22

6-6-2006

L.G. Phillips LCD v. Tatung Co. of America et al Jong Hwam Kim  
Confidential-Attorneys Eyes Only

Page 73

1 receiving a Notice of Acknowledgment signed by  
2 her in this case and now you're introducing  
3 Confidential, Attorneys Eyes Only documents in  
4 this matter. I don't wish to be disruptive, but  
5 I do need to ask that the requirements of the  
6 Protective Order be maintained, so can you  
7 clarify that for me one way or the other? If  
8 she has we can proceed, but if she hasn't I'm  
9 going to have to ask her to leave the  
10 deposition.

11 MS. MODY: I have signed a  
12 Protective Order for this case, but I am a  
13 Howrey employee.

14 MR. BONO: My question is there is  
15 a particular --

16 MS. DRENNON: She has signed the  
17 Protective Order in this case.

18 MR. BONO: Have you provided us  
19 with the signed Notice of Acknowledgment.

20 MS. DRENNON: I can check at lunch  
21 or we can take a break now.

22 MR. BONO: Why don't you check so

6-6-2006

L.G. Phillips LCD v. Tatung Co. of America et al Jong Hwan Kim  
Confidential-Attorneys Eyes Only

Page 74

1 we can proceed one way or the other.

2 MS. DRENNON: Okay. You know it's  
3 a quarter to noon. Would you like to take lunch  
4 now and come back a little early?

5 MR. BONO: Why don't we do that.

6 THE VIDEOGRAPHER: We're going off  
7 the record. The time is 11:49. This marks the  
8 end of videotape number two in the continuing  
9 deposition of Jong Hwan Kim.

10 (Whereupon, at 11:49 p.m., a lunch  
11 recess was taken.)  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

6-6-2006 L.G. Phillips LCD v. Tatung Co. of America et al Jong Hwan Kim  
Confidential-Attorneys Eyes Only

Page 75

1 AFTERNOON SESSION

2 (1:07 p.m.)

3 THE VIDEOGRAPHER: This marks the  
4 beginning of videotape number three in the  
5 continuing deposition of Jong Hwan Kim. We're  
6 going back on the record. The time is 1:07.

7 MS. DRENNON: Before we took a  
8 break Mr. Bono asked if Nisha and myself had  
9 signed the acknowledgment required the  
10 Protective Order. We have copies signed today,  
11 which we're happy to give to you.

12 MR. BONO: I appreciate this. And  
13 my question is were these signed over the lunch  
14 break?

15 MS. DRENNON: Those particular  
16 copies in your hand, yes, were signed today over  
17 the lunch break.

18 MR. BONO: Okay. I don't have any  
19 concern, Ms. Drennon, about your acknowledgments  
20 since you're an attorney with Howrey, but I have  
21 a very, very large concern over Ms. Mody, who I  
22 understand is not an attorney, she is employed

6-6-2006 L.G. Phillips LCD v. Tatung Co. of America et al Jong Hwan Kim  
Confidential-Attorneys Eyes Only

Page 76

1 with a company called Cap Analysis.

2 MS. DRENNON: To clarify, Cap  
3 Analysis is a subsidiary of Howrey, so Ms. Mody  
4 is a Howrey employee.

5 MR. BONO: I appreciate your  
6 argument on that, but I would expect Ms. Mody is  
7 an employee of Cap Analysis since Cap Analysis  
8 is put out as a separate entity providing  
9 economic consulting services, including in the  
10 intellectual property area.

11 And as I understand it Cap  
12 Analysis performs its services and consulting  
13 work for not only Howrey clients at times, but  
14 also has -- does such services for independent  
15 clients of Cap Analysis, and so they really are  
16 acting as an independent economic consulting  
17 firm.

18 MS. DRENNON: I have to interrupt  
19 and disagree with your characterization. Howrey  
20 LLP pays for Ms. Mody's paycheck. She's  
21 employed by Howrey and, regardless, she's signed  
22 the Protective Order. If she were otherwise she

6-6-2006

L.G. Phillips LCD v. Tatung Co. of America et al Jong Hwam Kim  
Confidential-Attorneys Eyes Only

Page 77

1 would still be able to be here.

2 MR. BONO: No, that's not correct,  
3 and that's the second point. Had she been an  
4 attorney with Howrey that would be correct, as  
5 I'm not making any issue with respect to your  
6 acknowledgment, which maybe had fallen through  
7 the cracks before, but with respect to Cap  
8 Analysis and economic consultants, the  
9 Protective Order provides that we were entitled  
10 to receive notice of -- to whom Howrey and CPT  
11 intended to disclose LPL's confidential  
12 information, in order to have certain  
13 disclosures made to us, since the highly  
14 sensitive confidential information of LPL is  
15 being disclosed to this outside entity in order  
16 for us to analyze --

17 MS. DRENNON: I object to your  
18 characterization of it as an outside entity.

19 MR. BONO: Well, you call it Cap  
20 Analysis, you do not call it Howrey LLP, but  
21 beyond that, we are entitled to have had notice  
22 provided to us in a 10-day period in which to

6-6-2006

L.G. Phillips LCD v. Tatung Co. of America et al Jong Hwam Kim  
Confidential-Attorneys Eyes Only

Page 78

1 view the disclosures made with respect to Cap  
2 Analysis, including the disclosures as to the  
3 work they have done in the LCD industry, the  
4 work they may have done with respect to  
5 competitors of LPL, their ongoing relationship  
6 with competitors of LPL in the LCD industry.  
7 And so we view this as a very serious issue  
8 because we don't have any of the proper  
9 disclosures. And until that requirement of the  
10 Protective Order is met I'm going to have to  
11 ask, under the circumstances, that Ms. Mody  
12 leave the deposition so the deposition can  
13 continue and you can ask whatever questions you  
14 want relating to confidential information. And  
15 I'm also going to ask that it would be apparent  
16 to me that certain confidential information has  
17 already been disclosed to Cap Analysis, and I  
18 would ask that under the circumstances that Cap  
19 Analysis be instructed to perform no further  
20 work in this matter until it complies with the  
21 requirements of the Protective Order and makes  
22 the appropriate disclosures and allows us to

6-6-2006 L.G. Phillips LCD v. Tatung Co. of America et al Jong Hwam Kim  
Confidential-Attorneys Eyes Only

Page 79

1 exercise our rights on whether to object or not,  
2 because it is a very, very serious issue with  
3 Cap Analysis performing economic analysis and  
4 work in the intellectual property area and in  
5 the LCD area, when LPL's highly sensitive  
6 confidential information is being given to them.

7 MS. DRENNON: Ms. Mody has  
8 performed her job as an employee of Howrey. We  
9 understand your concern. We will proceed with  
10 the rest of the deposition without Ms. Mody. As  
11 for the rest of your issues we well get -- had  
12 to address those at a later date.

13 MR. BONO: I appreciate that, but  
14 I would like -- I would like for us to have --  
15 in light of this serious issue to have a  
16 standstill agreement that no further work be  
17 done by Cap Analysis until the appropriate  
18 disclosures have been made, because I  
19 understand --

20 MS. DRENNON: I cannot agree to  
21 that.

22 MR. BONO: Well then we'll have to



6-6-2006 L.G. Phillips LCD v. Tatung Co. of America et al Jong Hwam Kim  
Confidential-Attorneys Eyes Only

Page 80

1 take this matter up immediately with the court  
2 at the appropriate time.

3 MS. DRENNON: At this time I'm not  
4 authorized to make --

5 MR. BONO: I'm telling you, you  
6 proceed at your own risk because you have  
7 violated the court's order by not disclosing Cap  
8 Analysis to us and now they have in their  
9 possession confidential information of LPL, and  
10 it is clear that they may very well be doing  
11 economic analysis, advise, valuation work for  
12 direct competitors of LPL.

13 MS. DRENNON: I think your  
14 objection is clear on the record and I would  
15 like to proceed with the deposition.

16 MR. BONO: Thank you.

17 MS. DRENNON: Have you and  
18 Mr. Sung Jung both signed the Protective Order?

19 MR. BONO: Yes.

20 MS. DRENNON: Do you have copies  
21 available?

22 MR. BONO: No. Not with me, but

6-6-2006

L.G. Phillips LCD v. Tatung Co. of America et al Jong Hwam Kim  
Confidential-Attorneys Eyes Only

Page 195

1 Q. Did LPL perform any valuation of  
2 any group of patents within that package?

3 A. There is no valuation, whatsoever,  
4 that was conducted with respect to Honeywell  
5 patents.

6 Q. And my last question. Did LPL  
7 perform any valuation of the '002 patent,  
8 itself?

9 A. No.

10 MR. BONO: I have no further  
11 questions.

12 MS. DRENNON: I have no further  
13 questions.

14 MR. BONO: Pursuant to the  
15 Protective Order that's been entered in this  
16 case, plaintiff designates this transcript as  
17 confidential, attorneys only, and I would ask  
18 the court reporter and the videographer to so  
19 designate the transcript and the videotape as  
20 confidential, attorneys only, and I would ask  
21 the court reporter to place that designation on  
22 the cover page of the transcript as well as each

6-6-2006

L.G. Phillips LCD v. Tatung Co. of America et al Jong Hwan Kim  
Confidential-Attorneys Eyes Only

Page 196

1 of the pages of the transcript.

2 THE VIDEOGRAPHER: This marks the  
3 end of videotape number six. We're going off  
4 the record. The time is 6:25. This is the  
5 conclusion of this deposition of Jong Hwan Kim.

6 (Reading and signature not  
7 waived.)

8 (Whereupon, at 6:25 p.m., the  
9 deposition was concluded.)

10 - - - - -

11

12

13

14

15

16

17

18

19

20

21

22